

TIPP CITY COUNCIL STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

JUNE 2, 2008

Study Session

Acting City Manager Bradley C. Vath opened the Study Session at 7:00 p.m. on this date.

Roll Call

Council Members in attendance included: Patrick A. Hale, Tim E. Evans, William D. Beagle, Vickie K. Blakey, John E. Kessler, George H. Lovett, and Dolores Gillis.

Others in attendance included: Acting City Manager Bradley C. Vath, Mike McFarland, Evan Cole, Law Director Joseph P. Moore, Charter Review Commission Members: Jacqueline Wahl, Mike McDermott, and Larry Riesser, *Dayton Daily News* reporter Nancy Bowman, and Clerk of Council Misty Cheshire.

Discussion –
Charter Review
Commission Report

Mrs. Wahl noted that the Commission recommended three changes:

1. Section 4.04: "No member of Council shall serve *more than two* consecutive terms as Mayor
2. Section 4.05: "No member of Council shall serve *more than two* consecutive terms as President."
3. Section 8.04: "*Board of Appeals members shall serve three-year terms.*"

She noted the Committee struggled with the term limits for the Mayor and President. Some members favored no change to the term limit while others supported no term limits. Mrs. Wahl noted that a compromise was made by the Committee to reach the final decision.

Mrs. Wahl noted that the Charter lists term limits for all other boards. The Committee thought this section should be consistent.

Mrs. Wahl noted that the Committee discussed the requirement of having a City Council member sit on the Planning Board and elected to let Council address that issue in the Council Rules rather than adding the requirement to the Charter.

Law Director Moore provided City Council with sample ballot language. Council's next decision would be to determine if they want to accept or not accept the Commission's recommendations. Council also has the ability to accept all of the recommendations or some of the recommendations. In addition, City Council may also add their own recommendations to the voters.

Mrs. Blakey asked how many ballot issues were on the last Charter amendment. Mr. Evans estimated that there were at least a dozen items, all were passed.

Mr. Beagle, a former Planning Board member, noted that the Planning Board is a huge commitment and carries a large work load. He feared that having a Council Member on the Planning Board would

create an undue influence and appear that City Council was trying to control the process. Mrs. Blakey agreed. She noted that it would be difficult for one City Council member to represent all of City Council.

Mr. Kessler asked if the Charter could only be modified every eight years. If the City's growth would explode and wards were needed, would the City have to wait 8 years to change the Charter. Mr. Moore noted that the Charter can be amended at any time but it must be reviewed at least every 8 years.

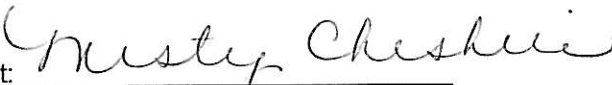
Mr. Vath stated that legislation would be presented to City Council at the June 16th meeting for this issue.

Adjournment

Mayor Evans thanked the Commission for their time. The study session concluded at 7:12 p.m.



Patrick A. Hale, President of Council

Attest: 
Misty Cheshire, Clerk of Council

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

JUNE 2, 2008

Roll Call

President Patrick A. Hale called to order the regular meeting of the Tipp City Council at 7:30 p.m. Roll call showed the following Councilmembers present: William D. Beagle, George H. Lovett, Tim E. Evans, Patrick A. Hale, John E. Kessler, Vickie K. Blakey, and Dolores Gillis.

Acting City Manager Bradley C. Vath, Law Director Joseph P. Moore, Finance Director Richard Drennen, Utilities Director M. J. Eichman, Fire Chief Steve Kessler, Police Chief Tom Davidson, *Dayton Daily News* reporter Nancy Bowman, *Tipp Herald* reporter Mike Kelly, and Clerk of Council Misty Cheshire.

Citizens signing the register included: Evan Cole, Larry Riesser, Mike McDermott, Jackie Wahl, Michael McFarland, Matt Owen, Joe Bagi, and Bill McGraw.

Invocation and Pledge of Allegiance

Mayor Evans delivered the invocation. President Hale led the Pledge of Allegiance.

Approval of Agenda

Ordinances C and D, first readings, were amended to be emergency legislation. Mayor Evans moved to approve the amended agenda, seconded by Mr. Lovett. The motion unanimously carried.

Adoption of Minutes

Mr. Lovett moved to adopt the minutes of the May 19, 2008, City Council Meeting, seconded by President Hale. The motion carried with a vote of 6-0. Mr. Kessler abstained due to absence.

Mrs. Gillis moved, seconded by Mr. Lovett, to adopt the minutes of the May 19, 2008, Post Meeting Study Session. The motion carried with a vote of 6-0. Mr. Kessler abstained due to absence.

Presentation

Downtown Tipp City
Partnership Quarterly
Report

Executive Director Matt Owen provided updates on several upcoming downtown events. Windows on Tippecanoe and the Farmer's Market will run from June 14th to September 13th. An Art Gala is scheduled for October 4th, where the Window's will be auctioned. Proceed will support the organization of a local Arts Council.

Mr. Owen noted that Tipp City's 5th Antique and Artisan Show will be held on June 28th from 9 a.m. to 5 p.m. Over 45 vendors have committed to the event.

Mr. Owen noted that he was working with Cincinnati Bell to organize a Clean Sweep. Cincinnati Bell will send a group to work on a specific project in the City. He noted that he was trying to coordinate something that would complement the America in Bloom Program.

Mr. Owen identified three new downtown businesses: Big Robot Game Café, Case Crafters, and M & J's. In closing, Mr. Owen reported that the Partnership had applied for 501(c)(3) status. The application has been received by the IRS and he was awaiting confirmation.

**Ordinances
(Second Reading and
Public Hearing)**

Ordinance 14-08
Sign Code

The following ordinances were presented to City Council for second reading and public hearing.

Ordinance 14-08: An ordinance adopting a revised code for the regulation of signs, enacting code Sections 154.090 – 154.112, and repealing ordinances 42-03 and 05-06 of the City of Tipp City, Ohio.

Clerk of Council Summary: This ordinance will update code to comply with recent court decisions regarding sign codes.

City Manager Report: The City has been working with Dr. Eric Kelly while evaluating the sign code. This ordinance will replace the existing sign code.

There being no further discussion, Mayor Evans sponsored this ordinance and moved for its adoption, seconded by Mrs. Gillis. The motion carried. Ordinance 14-08 was declared passed and President Hale affixed his signature in witness thereto.

Ordinance 15-08
Out-of-Town Sewer
Rates

Ordinance 15-08: An ordinance amending section 52.02 of the Tipp City, Ohio Code of Ordinances to revise the sewer rates.

Clerk of Council Summary: This ordinance will enact a 150% surcharge on all out-of-town sanitary sewer customers.

City Manager Report: This ordinance will implement a rate adjustment for the treatment portion of the out-of-town sanitary sewer utility bills. Currently the out-of-town sewer customers are paying the same treatment rate as the in-town-customers. Mr. Vath noted that this ordinance will bring the treatment portion of the sewer bill to 150% of the in-town rates, which is currently being charged for the other portions of the sewer bill and all of the water bills.

There being no further discussion, Mr. Lovett sponsored this ordinance and moved for its adoption, seconded by Mr. Kessler. The motion carried. Ordinance 15-08 was declared passed and President Hale affixed his signature in witness thereto.

Ordinance 16-08
Final Plat Northgate
Commerce Center
Sections 2 & 3

Ordinance 16-08: An ordinance approving the Final Plats of the Northgate Commerce Center Subdivision Sections 2 and 3.

Clerk of Council Summary: This ordinance will allow the City to proceed with the construction of the northern and southern extensions of Kinna Drive which was partially funded with an ISIF grant.

City Manager Report: Mr. Vath noted that the City, property owner, and State of Ohio are partnering to extend Kinna Drive both north and south within the Northgate Commerce Center Industrial Park. The City received a \$500,000 grant from the Ohio Department of Development to assist with this project.

There being no further discussion, Mr. Beagle sponsored this ordinance and moved for its adoption, seconded by President Hale. The motion carried. Ordinance 16-08 was declared passed and President Hale affixed his signature in witness thereto.

**Resolutions
(One Reading
Required)**

Resolution 17-08
Clerk of Council
Compensation

The following resolutions were presented to City Council for adoption.

Resolution No. 17-08: A resolution authorizing a change in the compensation of the Clerk of Council.

Clerk of Council Summary: This resolution will increase the Clerk of Council's compensation by 3.5% retroactive and effective on June 2nd, 2008.

City Manager Report: Mr. Vath noted that City Council completed their annual evaluation for the Clerk of Council and elected to provide a 3.5% pay adjustment.

There being no further discussion, Mayor Evans sponsored this resolution and moved for its adoption, seconded by Mrs. Blakey. The motion carried. Resolution 17-08 was declared passed and President Hale affixed his signature in witness thereto.

Resolution 18-08
Alternate Tax
Document

Resolution No. 18-08: A resolution finding that the Council of the City of Tipp City has reviewed the submissions to be made to the Budget Commission of Miami County, Ohio, and to be authorized by said Commission for the Fiscal Year 2009, in relation to the Alternative Tax Document format provided in Ohio Revised Code Section 5705.281 and approves the same.

Clerk of Council Summary: The resolution completes the City of Tipp City 2009 Miami County Budget process under the "alternate" tax budget process.

City Manager Report: Mr. Vath noted that this resolution was the final step that would allow the Finance Director to utilize the "alternate" method to file the required information with the Miami County Budget Commission.

Mr. Beagle asked if the alternate method was more efficient. Mr. Drennen noted that the previous form had to be hand written. The new method is in an Excel format and took ½ the time to prepare.

There being no further discussion, Mr. Beagle sponsored this resolution and moved for its adoption, seconded by Mrs. Gillis. The motion carried. Resolution 18-08 was declared passed and President Hale affixed his signature in witness thereto.

Resolution 19-08
Independence Day
Fireworks Agreement

Resolution No. 19-08: A resolution authorizing the City Manager to enter into a contract with Monroe Township, Miami County, Ohio to cooperate on the annual Independence Day fireworks program.

Clerk of Council Summary: The City and Township have jointly sponsored the 4th of July fireworks display for numerous years, this resolution continues the tradition under the same terms and conditions.

City Manager Report: Upon passage, the City will pay \$9,000 and the Township will pay \$6,000 for this year's fireworks display. Mr. Vath noted that the amounts were consistent with previous years.

**Ordinances
(First Reading)**

Bowman Avenue
Subdivision

There being no further discussion, President Hale sponsored this resolution and moved for its adoption, seconded by Mrs. Blakey. The motion carried. Resolution 19-08 was declared passed and President Hale affixed his signature in witness thereto.

The following ordinances were presented to City Council for first reading, the second reading and public hearing will be held on June 16, 2008.

Mr. Beagle sponsored an ordinance accepting the improvements as completed by the developer of the Bowman Wood Subdivision.

Clerk of Council Summary: This ordinance will accept the public improvements made by the Developer during the construction of the Bowman Woods Subdivision which started in May of 2005.

City Manager Report: Mr. Vath noted that Bowman Woods Subdivision is a cul-de-sac extension of the northern leg of Bowman Avenue. He noted that surety was in place and would be replaced by the second reading of the ordinance to cover the required 10% maintenance amount and the uncompleted sidewalks.

Menards Subdivision

Mr. Lovett sponsored an ordinance accepting the improvements as completed by the developer of the Menards Commercial Subdivision.

Clerk of Council Summary: This ordinance will accept the public improvements made by the Developer during construction of the Menards Subdivision which started in June of 2007.

City Manager Report: Mr. Vath noted that the developer posted subdivision bond, which is still in full force, and will be replaced with a maintenance bond in the near future.

Ordinance 17-08
Hiring City Manager

Ordinance No. 17-08: An emergency ordinance appointing a Municipal Manager for the Municipality of Tipp City, Ohio and fixing the compensation thereof.

Clerk of Council Summary: This ordinance hires Jon S. Crusey as City Manager for the City of Tipp City and establishes his compensation.

There being no further discussion, President Hale sponsored this ordinance and moved for its adoption, seconded by Mayor Evans. The motion carried with a vote of 6-1. Mrs. Blakey cast the dissenting vote. Ordinance 17-08 was declared passed and President Hale affixed his signature in witness thereto.

Ordinance 18-08
City Manager Contract

Ordinance No.18-08: An emergency ordinance authorizing the execution of a contract between the City Council of Tipp City, Ohio and the Municipal Manager specifying terms and conditions of the Municipal Manager's employment in addition to those contained in the City Charter and the Code of Ordinances of the City.

Clerk of Council Summary: This ordinance authorizes the contract between Jon S. Crusey and City Council, including the terms and conditions.

There being no further discussion, Mayor Evans sponsored this ordinance and moved for its adoption, seconded by Mr. Lovett. The motion carried with a vote of 6-1. Mrs. Blakey cast the dissenting vote. Ordinance 18-08 was declared passed and President Hale affixed his signature in witness thereto.

Motions

GUM Waterline Const. Agreement

Mr. Lovett moved to approve the Waterline Construction Agreement for Ginghamburg United Methodist Church at 6759 South CR25A, seconded by Mrs. Gillis. The motion carried with a vote of 7-0.

Restoration Board Resignation

Mrs. Gillis moved to accept the resignation of Ms. Janine Wert from the Restoration Board and directed the Clerk of Council to advertise this vacancy, seconded by Mr. Beagle. The motion was unanimously approved.

Citizen Comments

There were no citizen comments on items not on the agenda.

Councilmember Comments

Mr. Lovett and Mr. Beagle thanked Mrs. Cheshire for service to City Council over the last year.

Mr. Beagle congratulated the High School Spring sport teams for their outstanding season. He noted that Officer Rittenhouse recently completed his first full year as a DARE officer. Rittenhouse and 9 fifth grade classes created a Stranger Danger video. He introduced safety belt awareness to third grade students. Mr. Beagle stated that he would provide Council with a letter detailing Officer Rittenhouse's accomplishments over the past year.

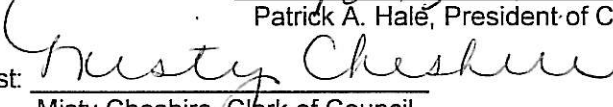
President Hale thanked Mrs. Cheshire for her service. He also thanked the Charter Review Commission for their work over the past two months. Mr. Hale noted that Council would hold a Study Session following the meeting to discuss a Community Attitude Survey.

Adjournment

There being no further business, it was moved by Mr. Kessler, seconded by Mr. Lovett, that the meeting be adjourned. The motion unanimously carried. President Hale declared the meeting adjourned at 8:10 p.m.


Patrick A. Hale, President of Council

Attest:


Misty Cheshire, Clerk of Council

TIPP CITY COUNCIL STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

JUNE 2, 2008

Study Session

Acting City Manager Bradley C. Vath opened the Study Session at 8:22 p.m. on this date.

Roll Call

Council Members in attendance included: Tim E. Evans, William D. Beagle, Vickie K. Blakey, John E. Kessler, George H. Lovett, and Dolores Gillis.

Others in attendance included: Acting City Manager Bradley C. Vath, Mike McFarland, Fire Chief Steve Kessler, Police Chief Tom Davidson, *Dayton Daily News* reporter Nancy Bowman, and Clerk of Council Misty Cheshire.

**Discussion –
Community Attitude
Survey**

Mr. Vath noted that he and Council Members Lovett and Hale have discussed a Community Attitude Survey. This survey would provide Council with the community's perception of City services. He noted that a second element could be added to the survey to determine why the electorate didn't support the ¼ percent income tax increase. If Council wanted to move forward with the survey and planned to put the income tax issue back on the ballot, Mr. Vath recommended that a phone survey be conducted to meet the August 21st deadline to file with the Board of Elections.

Mr. Kessler noted that a CEDA survey was done recently, which was a waste of time. He noted that nothing was ever done to address the survey results. He asked why the City should move forward with a second survey.

Mr. Vath noted that the CEDA survey only addressed Economic Development along County Road 25A and focused on township residents.

If Council wants to proceed, the City would mail Request for Proposals to survey companies. Once the results are received by the City, Council can decide if they want to proceed based upon the quotes.

Mr. Beagle stated that the Library recently conducted a survey and found it very beneficial. The company used by the library specializes in library surveys. He noted that the Library Board was able to add questions crafted toward funding.

Mrs. Gillis asked if the City had an idea of how much the survey would cost. Mr. Vath stated that the cost would depend upon the scope of the survey.

Mrs. Blakey supported the survey without focus on the income levy issue. Mrs. Gillis stated that she would also like to have the feedback but it would depend upon the cost of the survey before she gave her full support.

Mr. Lovett stated that the survey results could be enlightening for Council. It would allow Council to learn a lot about the community's

perception of the City. He stated that he could not see a reason not to proceed with the request for proposals. He noted that this issue would be front and center when the new City Manager takes office.

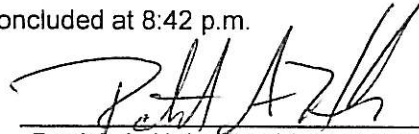
Mr. Kessler suggested that Council and staff begin to clip articles from the paper showing that other cities are struggling and how they are coping with tightened budgets. It will show that Tipp City isn't wasteful and that we are not alone. Cities across the entire state are experiencing the same problems.


Staff will prepare a RFP for Council to review next week. Upon approval it will be mailed out to the selected companies. Mrs. Blakey suggested that Universities be contacted. They may be able to complete the survey at a lower cost if they have available staff this time of the year.

Mr. Lovett noted that once Council had verifiable, reliable data and facts, Council could gear their actions accordingly.

Adjournment

The study session concluded at 8:42 p.m.


Patrick A. Hale, President of Council

Attest: 
Misty Cheshire, Clerk of Council

